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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,766	08/17/2006	Frederic Beun	MM6020PCT	9662

79681 7590 05/13/2010

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EXAMINER	
AVERY, JEREMIAH L	

ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
05/13/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/589,766	BEUN ET AL.	
	Examiner	Art Unit	
	JEREMIAH AVERY	2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 August 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 August 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

I. Claims 1-39 have been examined.

Specification

1. The abstract of the disclosure is objected to because of its excessive length and references to figures and associated elements. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Drawings

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the figures themselves are devoid of content. There are only squares with references to the specification. The drawings do not provide a clear understanding of the claimed invention. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to

the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Objections

3. Claims 22-24 are objected to because of the following informalities: punctuation error. Claims 22-24 do not possess a period "." at the end of their respective claims. Appropriate correction is required.

4. Claims 21-27 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim *cannot depend from any other multiple dependent claim*. See MPEP § 608.01(n). Accordingly, the claims 21-27 have not been further treated on the merits.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claim 39 is rejected under 35 U.S.C. 101 due to non-statutory subject matter.

6. Claim 39 is directed to a computer program which does not fall under any of the categories of invention identified in 35 USC 101 and is thus non-statutory.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 22-24 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. Claims 22-24 contain computer code but does not set forth the method steps, thus rendering these claims unclear as to they invoke the claimed method and what use they possess within this claimed invention.

8. Further, claims 3-14 recite the limitation "the operator". There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-20, 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6,606,707 to Hirota et al., hereinafter Hirota and further in view of United States Patent No. 6,405,369 to Tsuria, hereinafter Tsuria.

9. Regarding claim 1, Hirota teaches a method for matching a number N of data reception equipment with a number M of external security modules, each reception

equipment being provided with a unique identifier, and each external security module having a unique identifier (column 3, lines 3-8 and column 5, lines 9-20),

method characterised in that it comprises a configuration phase comprising the following steps:

memorising a list of identifiers of reception equipment in each external security module (column 5, lines 9-17, "an identification information storage unit which stores a piece of identification information identifying an electronic device"),

and a check phase consisting of authorising access to data if the identifier of an external security module connected to a reception equipment is present in the list memorised in this reception equipment, and if the identifier of said reception equipment is present in the list memorised in said external security module, otherwise disturbing access to said data (column 3, lines 3-15, "mutual authentication", column 5, lines 9-32, "prevents the occurrence of unauthorized tapping and using of the personal data" and lines 55-67 and column 6, lines 1-10).

10. Hirota significantly teaches the claimed invention, as cited above. However, it does not substantially teach the claim language pertaining to "memorising a list of identifiers of external security module in each reception equipment. Tsuria teaches said claim language, as cited below.

11. Regarding claim 1, Tsuria teaches memorising a list of identifiers of external security module in each reception equipment (column 2, lines 43-67, column 3, lines 1-19 and 50-67 and column 4, lines 1-38).

[The "subscriber unit including at least two pay television decoders, wherein a first decoder includes a first card reader and a second decoder includes a second card reader" would possess knowledge of what cards would be acceptable in order to obtain the desired service(s). Further, Tsuria discloses (within column 4, lines 23-38) that “a decoder memory” will have data necessary to activate the second smart card via the first smart card transferring said data to the decoder. Thus, the decoder would have in its memory the necessary information prior to the second smart card being inserted.]

12. The motivation to combine to provide an access control method which is "employed in a pay television system in which pay television programs are transmitted to a plurality of subscribers, each being entitled to receive selected programs" (*Tsuria* - column 3, lines 20-24).

13. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Tsuria with the teachings of Hirota so as to ensure that access to specific data only occurs when the proper equipment is utilized.

14. Regarding claim 2, Hirota teaches that the configuration is used only when the user connects an external security module to a reception equipment (column 5, lines 33-54).

15. Regarding claim 3, Hirota teaches that the method also comprises a step in which the operator transmits a signal to the reception equipment to manage the check phase comprising *at least one of the following* set values: activating the check phase at a programmed date *or* after a programmed delay, deactivating the check phase at a

programmed date *or* after a programmed delay, specifying an absolute date (or a delay) starting from which (or after which) the check phase is activated *or* deactivated, cancelling said programmed date (*or* said programmed delay) (column 10, lines 50-65).

16. Regarding claim 4, Hirota teaches that the operator also transmits a signal to the reception equipment containing a message to delete the list of identifiers memorised in the reception equipment (Figure 14C, column 7, lines 16-18).

17. Regarding claim 5, Hirota teaches that the operator also transmits a signal to the external security module containing a message to delete the list of identifiers memorised in this external security module (column 4, lines 60-64, "destroying the semiconductor memory card", column 20, lines 58-67 and column 21, lines 1-14).

18. Hirota significantly teaches the claimed invention, as cited above. However, Hirota does not substantially teach the claim language within claims 6-13 pertaining to “an EMM message”. Tsuria teaches said claim language, as cited below.

19. As it is known, an EMM (Entitlement Management Message) provides conditional access information pertaining to the authority that a viewer/receiver has in receiving the particular transmissions and services of a content provider. Tsuria's disclosure of the "deactivation dates" being "communicated to the first smart card and to the second smart card via the pay television network" is interpreted by the Examiner to pertain to a notification that states the duration in which the smart cards can be used to help provide access to the television broadcasts.

20. The motivation to combine would be to provide the means to ensure "preventing the smart card from performing the access control functions" (*Tsuria* – column 5, lines 15-18).

21. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Tsuria with the teachings of Hirota to provide "a pay television access control method to be employed in a pay television system in which pay television programs are transmitted to a plurality of subscribers, each being entitled to receive selected programs" (*Tsuria* – column 3, lines 20-25).

22. The motivation and obviousness to combine pertains to claims 6-13.

23. Regarding claim 6, Tsuria teaches that the operator transmits the list of M identifiers of the external security modules to a reception equipment through an EMM message specific to said reception equipment (column 6, lines 9-19, 32-47 and 55-59, column 7, lines 11-23 and 44-67).

24. Regarding claim 7, Tsuria teaches that the operator transmits the list of identifiers of N reception equipment to an external security module through an EMM message specific to said external security module (column 6, lines 9-19, 32-47 and 55-59, column 7, lines 11-23 and 44-67).

25. Regarding claim 8, Tsuria teaches that the operator transmits the list of M identifiers of external security modules to a group of reception equipment through an EMM message specific to said group of reception equipment (column 6, lines 9-19, 32-47 and 55-59, column 7, lines 11-23 and 44-67).

26. Regarding claim 9, Tsuria teaches that the operator transmits the list of identifiers of N reception equipment to a group of external security modules through an EMM message specific to said group of external security modules (column 6, lines 9-19, 32-47 and 55-59, column 7, lines 11-23 and 44-67).

27. Regarding claim 10, Tsuria teaches that the operator supplies said signal message to a reception equipment through an EMM message specific to said reception equipment (column 6, lines 9-19, 32-47 and 55-59, column 7, lines 11-23 and 44-67).

28. Regarding claim 11, Tsuria teaches that the operator supplies said signal message to a group of reception equipment through an EMM message specific to said group of reception equipment (column 6, lines 9-19, 32-47 and 55-59, column 7, lines 11-23 and 44-67).

29. Regarding claim 12, Tsuria teaches that the operator supplies said signal message to an external security module through an EMM message specific to said external security module (column 6, lines 9-19, 32-47 and 55-59, column 7, lines 11-23 and 44-67).

30. Regarding claim 13, Tsuria teaches that the operator supplies said signal message to a group of external security modules through an EMM message specific to said group of external security modules (column 6, lines 9-19, 32-47 and 55-59, column 7, lines 11-23 and 44-67).

31. Regarding claim 14, Hirota teaches the operator transmits a signal message to a group of reception equipment in a private flow for the check phase, said private flow being processed by a dedicated software executable in each reception equipment as a

function of the identifier of said reception equipment (column 3, lines 3-15, “mutual authentication”, column 5, lines 9-32, “prevents the occurrence of unauthorized tapping and using of the personal data” and lines 55-67 and column 6, lines 1-10).

32. Hirota significantly teaches the claimed invention, as cited above. However, Hirota does not substantially teach the claim language of claim 15. Tsuria teaches said claim language, as cited below.

33. Regarding claim 15, Tsuria teaches that the list of identifiers of external security module is transmitted in a private flow to a group of reception equipment and processed by a dedicated software executable in each reception equipment as a function of the identifier of said reception equipment (column 2, lines 43-67, column 3, lines 1-19 and 50-67 and column 4, lines 1-38).

[The "subscriber unit including at least two pay television decoders, wherein a first decoder includes a first card reader and a second decoder includes a second card reader" would possess knowledge of what cards would be acceptable in order to obtain the desired service(s). Further, Tsuria discloses (within column 4, lines 23-38) that “a decoder memory” will have data necessary to activate the second smart card via the first smart card transferring said data to the decoder. Thus, the decoder would have in its memory the necessary information prior to the second smart card being inserted.]

34. The motivation to combine to provide an access control method which is "employed in a pay television system in which pay television programs are transmitted to a plurality of subscribers, each being entitled to receive selected programs" (*Tsuria* - column 3, lines 20-24).

35. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Tsuria with the teachings of Hirota so as to ensure that access to specific data only occurs when the proper equipment is utilized.

36. Regarding claim 16, Hirota teaches that the list of identifiers of reception equipment is transmitted to a group of external security modules in a private flow that is processed by a dedicated software in each of said external security modules *or* in the reception equipment to which each of said external security modules is connected, as a function of the identifier of said external security module (column 3, lines 36-52 and column 5, lines 9-17, "an identification information storage unit which stores a piece of identification information identifying an electronic device").

37. Regarding claim 17, Hirota teaches that digital data are distributed in plain text *or* in scrambled form (column 9, lines 10-16 and 45-57).

38. Hirota significantly teaches the claimed invention, as cited above. However, Hirota does not substantially teach the claim language of claim 18. Tsuria teaches said claim language, as cited below.

39. Regarding claim 18, Tsuria teaches that digital data are audiovisual programs (column 1, lines 50-60, "pay television transmissions").

40. The motivation to combine would be to allow for the system to provide access to the desired type of data.

41. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Tsuria with the teachings of

Hirota to provide “a pay television access control method to be employed in a pay television system in which pay television programs are transmitted to a plurality of subscribers, each being entitled to receive selected programs” (*Tsuria* – column 3, lines 20-25).

42. Hirota significantly teaches the claimed invention, as cited above. However, Hirota does not substantially teach the claim language of claim 19. Tsuria teaches said claim language, as cited below.

43. Regarding claim 19, Tsuria teaches that the list of identifiers of M security modules memorised in a reception equipment is encrypted (column 2, lines 43-67, column 3, lines 1-19 and 50-67 and column 4, lines 1-38).

[The "subscriber unit including at least two pay television decoders, wherein a first decoder includes a first card reader and a second decoder includes a second card reader" would possess knowledge of what cards would be acceptable in order to obtain the desired service(s). Further, Tsuria discloses (within column 4, lines 23-38) that “a decoder memory” will have data necessary to activate the second smart card via the first smart card transferring said data to the decoder. Thus, the decoder would have in its memory the necessary information prior to the second smart card being inserted.]

44. The motivation to combine to provide an access control method which prevents fraudulent equipment from being utilized due to tampering with the identifiers of acceptable equipment.

45. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Tsuria with the teachings of

Hirota so as to ensure that access to specific data only occurs when the proper equipment is utilized.

46. Regarding claim 20, Hirota teaches that the list of identifiers of N reception equipment memorised in an external security module is encrypted (column 4, lines 19-32).

47. Regarding 38, Hirota discloses an access control system including a plurality of reception equipment each having a unique identifier and that can cooperate with a plurality of external security modules each having a unique identifier, each external security module containing information about access rights of a subscriber to digital data distributed by an operator, said system also including a commercial management platform communicating with said reception equipment and said external security modules, characterised in that is also includes: a first module arranged in said commercial platform and designed to generate matching queries (column 3, lines 3-15, “mutual authentication”, column 5, lines 9-32, “an identification information storage unit which stores a piece of identification information identifying an electronic device” and “prevents the occurrence of unauthorized tapping and using of the personal data” and lines 55-67 and column 6, lines 1-10).

48. Hirota significantly discloses the claimed invention, as cited above. However, Hirota does not substantially disclose the claim language of “a second module arranged in said reception equipment and in said external security modules and designed to process said queries to prepare a matching configuration”. Tsuria discloses said claim language, as cited below.

49. Regarding claim 38, Tsuria discloses a second module arranged in said reception equipment and in said external security modules and designed to process said queries to prepare a matching configuration (column 2, lines 43-67, column 3, lines 1-19 and 50-67 and column 4, lines 1-38).

[The "subscriber unit including at least two pay television decoders, wherein a first decoder includes a first card reader and a second decoder includes a second card reader" would possess knowledge of what cards would be acceptable in order to obtain the desired service(s). Further, Tsuria discloses (within column 4, lines 23-38) that “a decoder memory” will have data necessary to activate the second smart card via the first smart card transferring said data to the decoder. Thus, the decoder would have in its memory the necessary information prior to the second smart card being inserted.]

50. The motivation to combine to provide an access control method which prevents fraudulent equipment from being utilized due to tampering with the identifiers of acceptable equipment.

51. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Tsuria with the teachings of Hirota so as to ensure that access to specific data only occurs when the proper equipment is utilized.

52. Regarding claim 39, Hirota discloses a computer program executable on N reception equipment that can cooperate with M security modules each having a unique identifier and in which information about access rights of a subscriber to digital data distributed by an operator are stored, characterised in that it comprises instructions for

memorising a list of identifiers of *part or all* of N reception equipment in each external security module (column 5, lines 9-17, “an identification information storage unit which stores a piece of identification information identifying an electronic device”), instructions to prevent access to said data if the identifier of the security module connected to the reception equipment is not present in the list of identifiers previously memorised in this reception equipment *or* if the identifier of said reception equipment is not present in the list of identifiers previously memorised in said external security module (column 3, lines 3-15, “mutual authentication”, column 5, lines 9-32, “prevents the occurrence of unauthorized tapping and using of the personal data” and lines 55-67 and column 6, lines 1-10).

53. Hirota significantly discloses the claimed invention, as cited above. However, Hirota does not disclose the claimed invention with regards to the claim language of "instructions to memorise a list of identifiers of part or all of the M external security modules in each reception equipment, instructions to control the identifier of a security module connected to a reception equipment and the identifier of said reception equipment”. Tsuria discloses said claim language, as cited below.

54. Regarding claim 39, Tsuria discloses instructions to memorise a list of identifiers of part or all of the M external security modules in each reception equipment, instructions to control the identifier of a security module connected to a reception equipment and the identifier of said reception equipment (column 2, lines 43-67, column 3, lines 1-19 and 50-67 and column 4, lines 1-38).

[The "subscriber unit including at least two pay television decoders, wherein a first decoder includes a first card reader and a second decoder includes a second card reader" would possess knowledge of what cards would be acceptable in order to obtain the desired service(s). Further, Tsuria discloses (within column 4, lines 23-38) that "a decoder memory" will have data necessary to activate the second smart card via the first smart card transferring said data to the decoder. Thus, the decoder would have in its memory the necessary information prior to the second smart card being inserted.]

55. The motivation to combine to provide an access control method which is "employed in a pay television system in which pay television programs are transmitted to a plurality of subscribers, each being entitled to receive selected programs" (*Tsuria* - column 3, lines 20-24).

56. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Tsuria with the teachings of Hirota so as to ensure that access to specific data only occurs when the proper equipment is utilized.

Claim Rejections - 35 USC § 102

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

57. Claims 28-34 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 6,405,369 to Tsuria, hereinafter Tsuria.

58. Regarding claim 28, Tsuria teaches a reception equipment that can be matched with a plurality of external security modules to manage access to digital data distributed by an operator, characterised in that it includes: a non-volatile memory designed to

memorise a list of external security modules, means of verifying if the identifier of an external security module connected to said equipment is present in the list memorised in said non-volatile memory (column 2, lines 43-67, column 3, lines 1-19 and 50-67 and column 4, lines 1-38).

[The "subscriber unit including at least two pay television decoders, wherein a first decoder includes a first card reader and a second decoder includes a second card reader" would possess knowledge of what cards would be acceptable in order to obtain the desired service(s). Further, Tsuria discloses (within column 4, lines 23-38) that “a decoder memory” will have data necessary to activate the second smart card via the first smart card transferring said data to the decoder. Thus, the decoder would have in its memory the necessary information prior to the second smart card being inserted.]

59. Regarding claim 29, Tsuria teaches that the equipment includes a decoder and in that the external security module is an access control card containing information about access rights of a subscriber to said digital data, matching being done between said decoder and said card (column 1, lines 50-65, column 3, lines 20-29 and column 5, lines 24-29).

60. Regarding claim 30, Tsuria teaches that the equipment includes a decoder and in that the external security module is a removable security interface provided with a non-volatile memory and designed to cooperate firstly with said decoder, and secondly with a plurality of conditional access control cards, to manage access to said digital data, matching being done between said decoder and said removable security interface (column 1, lines 50-65, column 3, lines 20-29 and column 5, lines 24-61).

61. Regarding claim 31, Tsuria teaches that the equipment includes a decoder provided with a removable security interface with a non-volatile memory and designed to cooperate firstly with said decoder, and secondly with a plurality of conditional access control cards and in that matching is done between said removable security interface and said access control cards (column 2, lines 43-67, column 3, lines 1-19 and 50-67 and column 4, lines 1-38).

62. Regarding claim 32, Tsuria teaches a Decoder that can cooperate with a plurality of external security modules to manage access to audiovisual programs distributed by an operator, each external security module having a single identifier and comprising at least one data processing algorithm, decoder characterised in that it includes: a non-volatile memory designed to memorise a list of external security modules, means of verifying if the identifier of an external security module connected to said decoder is present in the list memorised in said non-volatile memory (column 2, lines 43-67, column 3, lines 1-19 and 50-67 and column 4, lines 1-38).

[The "subscriber unit including at least two pay television decoders, wherein a first decoder includes a first card reader and a second decoder includes a second card reader" would possess knowledge of what cards would be acceptable in order to obtain the desired service(s). Further, Tsuria discloses (within column 4, lines 23-38) that “a decoder memory” will have data necessary to activate the second smart card via the first smart card transferring said data to the decoder. Thus, the decoder would have in its memory the necessary information prior to the second smart card being inserted.]

63. Regarding claim 33, Tsuria teaches that said external security modules are access control cards in which information about access rights of a subscriber to digital data distributed by an operator is memorized (column 1, lines 50-65, column 3, lines 20-29, column 5, lines 24-61 and column 6, lines 9-15).

64. Regarding 34, Tsuria teaches that said external security modules are removable security interfaces including a non-volatile memory and designed to cooperate firstly with the decoder, and secondly with a plurality of conditional access control cards to manage access to digital data distributed by an operator (column 1, lines 50-65, column 3, lines 20-29 and column 5, lines 24-61).

65. Claims 35-37 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 6,606,707 to Hirota et al., hereinafter Hirota.

66. Regarding claim 35, Hirota discloses a removable security interface designed to cooperate firstly with a reception equipment, and secondly with a plurality of conditional access control cards, to manage access to digital data distributed by an operator, each card having a unique identifier and containing information about access rights of a subscriber to said digital data, interface characterised in that it includes: a non-volatile memory designed to memorise a list of subscriber cards, means of verifying if the identifier of a card associated with said interface is present in the list memorised in said non-volatile memory (column 3, lines 3-15, “mutual authentication”, column 5, lines 9-32, “an identification information storage unit which stores a piece of identification information identifying an electronic device” and “prevents the occurrence of

unauthorized tapping and using of the personal data" and lines 55-67 and column 6, lines 1-10).

67. Regarding claim 36, Hirota discloses that it consists of a PCMCIA card containing a digital data descrambling software (column 7, lines 61-67 and column 8, lines 38-57).

68. Regarding claim 37, Hirota discloses that it consists of a software (column 7, lines 61-67 and column 8, lines 9-19, 31-34 and 38-57).

Conclusion

69. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

United States Patent No. 6,366,585 to Dapper et al., which is cited to show distributed control in a communication system.

United States Patent No. 6,330,241 to Fort which is cited to show multi-point to point communication system with remote unit burst identification.

United States Patent No. 6,334,219 to Hill et al., which is cited to show channel selection for a hybrid fiber coax network.

United States Patent No. 6,292,651 to Dapper et al., which is cited to show a communication system with multicarrier transport distribution network between a head end terminal and remote units.

United States Patent No. 5,625,693 to Rohatgi et al., which is cited to show an apparatus and method for authenticating transmitting applications in an interactive tv system.

United States Patent No. 5,485,221 to Banker et al., which is cited to show a subscription television system and terminal for enabling simultaneous display of multiple services.

United States Patent No. 6,061,057 to Knowlton et al., which is cited to show a network commercial system using visual link objects.

United States Patent No. 7,181,010 to Russ et al., which is cited to show an apparatus for entitling remote client devices.

United States Patent No. 6,438,550 to Doyle et al., which is cited to show a method and apparatus for client authentication and application configuration via smart cards.

United States Patent No. 6,405369 to Tsuria, which is cited to show smart card chaining in pay television systems.

70. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEREMIAH AVERY whose telephone number is (571)272-8627. The examiner can normally be reached on Monday thru Friday 8:30am-5pm.

71. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

72. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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